

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JOHN F. EULICH,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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Civil Action No. **3:99-CV-1842-L**

MEMORANDUM OPINION AND ORDER

Before the court is the United States' Renewed Motion to Determine Petitioner's Claim of Privilege and to Turn Over Documents Determined Not Privileged, filed February 26, 2009. After careful consideration of the motion, response, briefs, record, documents submitted for *in camera* review, and applicable law, the court **grants** the United States' Renewed Motion to Determine Petitioner's Claim of Privilege and to Turn Over Documents Determined Not Privileged, and **orders** the Petitioner to produce those documents as herein ordered.

I. Factual and Procedural Background

The Internal Revenue Service ("IRS") is investigating Petitioner John F. Eulich ("Eulich" or "Petitioner") for the tax years of 1995, 1995 and 1997. As part of its investigation, the IRS sought documents relating to a Bahamian trust, the Mona Elizabeth Mallion Settlement Trust No. 16 ("MST-16" or "the Trust"), and to various corporations controlled by the Trust. To that end, on May 18, 1999 and November 15, 1999, the IRS issued Formal Document Requests ("FDRs") on Eulich and Virginia Eulich, his wife, and on or about July 15, 1999, served an Administrative Summons on the Euliches.

On August 16, 1999, Eulich and his wife filed this action to quash certain document requests relating to the Trust, and the Government subsequently filed counterclaims seeking to enforce the summonses. On February 9, 2001, the magistrate judge filed a report and recommendation, after having held a hearing, recommending that the summonses be enforced against both Eulich and his wife. On September 17, 2002, this court accepted the magistrate judge's recommendation and enforced the summonses and FDRs (the "enforcement order").¹

Pursuant to the enforcement order, Petitioner produced numerous documents to the IRS. He also provided to the court for *in camera* review voluminous documents for which he claimed the attorney work-product or the attorney-client privileges. These documents were accompanied by a privilege log and a fifteen-page letter brief, which explained why Petitioner believes the documents are privileged. The court granted the IRS's oral request to file a response to the letter brief. The IRS filed its response on June 17, 2005.

II. Analysis

1. Legal Standard

"The attorney-client privilege protects from disclosure confidential communications between a client and his or her attorney made for the purpose of facilitating the rendition of professional legal services to the client" *International Ins. Co. v. RSR Corp.*, 426 F.3d 291, 299 (5th Cir.2005) (internal quotation marks and citation omitted), *reh'g denied*. "A communication is only

¹The Eulichs appealed, and on August 27, 2003, the Fifth Circuit Court of Appeals affirmed the enforcement order as to Eulich and reversed the enforcement order as to his wife. Specifically, the Fifth Circuit held that Virginia Eulich did not have custody or control of the requested documents, as she was named in the FDRs and summonses only because she was married to Eulich and because community property was used in establishing the Trust. Accordingly, based on the Fifth Circuit's opinion, Virginia Eulich is no longer a party to this action, as she has no obligation or responsibilities associated with the FDRs and summonses. The Fifth Circuit, however, refused to "disturb the finding that John Eulich has control of the [requested] documents." *Eulich v. United States*, 2003 WL 22018884 at *1 (5th Cir. 2003).

‘confidential’ for the purposes of the attorney-client privilege if it is not intended to be disclosed to a third party.” *Id.* at 299 n.27 (internal citation omitted). The attorney-client privilege “exists to protect [both] the giving of professional advice . . . [and] the giving of information to the lawyer to enable him to give sound and informed advice.” *Upjohn Co. v. United States*, 449 U.S. 383, 390 (1981). The party asserting a privilege has the burden to demonstrate that the privilege exists under the circumstances presented. *United States v. Newell*, 315 F.3d 510, 525 (5th Cir. 2002). Documents and materials that are developed by an attorney for use in, or in anticipation of, litigation are not protected by the attorney-client privilege. These materials, however, “may be cloaked from disclosure to an adverse party - at least during the discovery process - on the ground that they constitute the attorney’s work product.” *Hodges, Grant & Kaufmann v. United States Gov’t*, 768 F.2d 719, 721 (5th Cir. 1985). The party asserting the work-product claim bears the burden of establishing that a document is work product. *Id.*

2. Determination

In light of this standard, the court determines that the following documents are subject to the work-product or attorney-client privileges:

	Documents Privileged	Documents Not Privileged
<u>Fullerlove</u>		MFPRIV 000001-2
	MFPRIV 000003-6	
	MFPRIV 000007-8	
<u>Kennedy</u> (attorney-client)		F000530
		F000531
		F001296

	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		F004051-53
	FDR00454 paragraph 3 only	FDR000454 (remainder)
		FDR00462
		FDR00463
		FDR00464-65
		FDR2232
	FDR3167-68 (3167 line items 4 and 6 only)	FDR3167-68 (remainder)
		FDR03380-81
	FDR03382-84	
	FDR02195-97	
	FDR02204-07	
	FDR02208-15	
	FDR02216-20	
		FDR02231
	FDR02236-39	
		F001292-93
		F001294-95
	F001298-1302	
	FDR03368	
		F001252
	F002903	
		FDR1380-82
	FDR02165	
	FDR02166-67	
	FDR02168	

	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
	FDR02169-70	
	FDR02198-2203	
	FDR02226-9	
	FDR02255-6	
	FDR02349-58	
		FDR03155
		F003403
		F003455-56
		FDR03094
		FDR03131
		FDR03151
	FDR03376-79	
		FDR03393
		FDR03394
		FDR3490
		FDR03051
		FDR03177-78
		FDR03471
		FDR03506
		FDR00952
	FDR00953-61	
	FDR00962-68	
	FDR00969-70	
	FDR00971-72	
	FDR00973-78	
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)

	FDR001024	
	FDR01025-26	
<u>Kennedy</u> (work product)		
		FDR204717-18
		FDR02233-34
		F003391
		F00397
		F003398-400
		F003409
		F003458
		FDR03046-47
		FDR03150
		FDR03400-02
		FDR03404-05
		FDR03409-10
		FDR02248-9
		FDR03429-30
		FDR03451-54
		F001288-91
		F003431
		FDR01858-59
		FDR03048
		FDR03049
		FDR03050
		FDR03136-47
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)

		FDR03172-73
		FDR03308-10
		FDR03359-60
		FDR03363
		FDR03366
		FDR03367
		FDR03501-03
		FDR03504
<u>Mizell</u>		
		RMPRIV000001
		RMPRIV000002-4
		RMPRIV000005
	RMPRIV000006 (second paragraph)	
		RMPRIV000006 (remainder)
		RMPRIV000007-8
		RMPRIV000009-11
		RMPRIV0000013
		RMPRIV0000014
		RMPRIV0000015
		RMPRIV0000016
		RMPRIV0000017
		RMPRIV0000018
		RMPRIV0000019-22
	RMPRIV0000023-24	
	RMPRIV0000025	
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)

		RMPRIV0000026
		RMPRIV0000027-28
		RMPRIV0000029
		RMPRIV0000030
		RMPRIV0000031-32
		RMPRIV0000036
	RMPRIV0000037	
	RMPRIV0000038	
	RMPRIV0000039	RMPRIV0000040-42
		RMPRIV0000043
		RMPRIV0000044
		RMPRIV0000045
		RMPRIV0000048-50
		RMPRIV0000051-52
		RMPRIV0000054
		RMPRIV0000055-56
		RMPRIV0000057-58
		RMPRIV0000059
	RMPRIV0000060-62	
	RMPRIV0000063-66	
	RMPRIV0000067-68	
	RMPRIV0000069-70	
		RMPRIV0000071
		RMPRIV0000072
		RMPRIV0000073
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
	RMPRIV0000074-75	

		RMPRIV0000076
		RMPRIV0000077
	RMPRIV0000078-79	
		RMPRIV0000080
		RMPRIV0000081
		RMPRIV0000082
		RMPRIV0000084
	RMPRIV0000085-86	
	RMPRIV0000087	
		RMPRIV0000088
		RMPRIV0000089
		RMPRIV0000090
		RMPRIV0000091
		RMPRIV0000092-95
		RMPRIV0000096
		RMPRIV0000097
		RMPRIV0000098
		RMPRIV0000099-100
		RMPRIV000101
		RMPRIV000103
		RMPRIV000104
		RMPRIV000105
		RMPRIV000106
		RMPRIV000107
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		RMPRIV000108
		RMPRIV000109-110

		RMPRIV000111
	RMPRIV000112-16	
		RMPRIV000119
		RMPRIV000120
		RMPRIV000123-24
	RMPRIV000125-26	
	RMPRIV000127-28	
	RMPRIV000129-134	
		RMPRIV000135
		RMPRIV000136
		RMPRIV000137
	RMPRIV000138-39	
		RMPRIV00040
	RMPRIV000151-52	RMPRIV000150
	RMPRIV000153-56	
	RMPRIV000157	
	RMPRIV000158-162	
	RMPRIV000163-64	
	RMPRIV000167-68	
	RMPRIV000170-71	
	RMPRIV000172-74	
	RMPRIV000175	RMPRIV000176-195
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		RMPRIV000196
		RMPRIV000197
		RMPRIV000198-99

		RMPRIV000200
		RMPRIV000201
		RMPRIV000202
		RMPRIV000205
	RMPRIV000206	
	RMPRIV000207	
		RMPRIV000208
	RMPRIV000209	
		RMPRIV000210
	RMPRIV000211	
	RMPRIV000212-13	
		RMPRIV000218
		RMPRIV000219
		RMPRIV000220
		RMPRIV000221
		RMPRIV000222
		RMPRIV000225
		RMPRIV000226
		RMPRIV000227
		RMPRIV000228
	RMPRIV000229	
	RMPRIV000234	
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
	RMPRIV000235	
		RMPRIV000236
		RMPRIV000237
		RMPRIV000238-242

		RMPRIV000243
		RMPRIV000244
	RMPRIV000245	
		RMPRIV000246
		RMPRIV000247
		RMPRIV000248
		RMPRIV000249
	RMPRIV000250 (last paragraph only)	RMPRIV000250 (remainder)
		RMPRIV000251
		RMPRIV000252
		RMPRIV000253-56
		RMPRIV000257
	RMPRIV000258 (number 4)	RMPRIV000258 (remainder)
		RMPRIV000259
		RMPRIV000260
		RMPRIV000261-62
		RMPRIV000265
		RMPRIV000266
	RMPRIV000267	
		RMPRIV000268
		RMPRIV000269
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		RMPRIV000270-71
		RMPRIV000272
	RMPRIV000273	
		RMPRIV000274

	RMPRIV000275	
		RMPRIV000276
		RMPRIV000277
		RMPRIV000278
		RMPRIV000279
		RMPRIV000280
		RMPRIV000281
	RMPRIV000282	
		RMPRIV000283
		RMPRIV000284
	RMPRIV000285-86	
	RMPRIV000287-88	
	RMPRIV000289-93	
		RMPRIV000294
	RMPRIV000295 (item d.)	RMPRIV000295 (remainder)
		RMPRIV000296-97
	RMPRIV000298	
		RMPRIV000299
		RMPRIV000300
	RMPRIV000301	
	RMPRIV000302	
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		RMPRIV000303
		RMPRIV000309
		RMPRIV000310
	RMPRIV000311	
		RMPRIV000317

	RMPRIV000320	
	RMPRIV000321-23	
	RMPRIV000324-25	
		RMPRIV000326
		RMPRIV000328
	RMPRIV000329-331	
		RMPRIV000332-33
		RMPRIV000334-35
	RMPRIV000336 (line 13, sentence beginning with “Mr. van Oosten . . .”)	RMPRIV000336 remainder
		RMPRIV000337
	RMPRIV000338 (lines23-32)	RMPRIV000338 (remainder)
		RMPRIV000339
		RMPRIV000344
		RMPRIV000345
		RMPRIV000346
	RMPRIV000347	
		RMPRIV000348
		RMPRIV000349
	RMPRIV000350	
	Documents Privileged (cont’d)	Documents Not Privileged (cont’d)
	RMPRIV000351	
	RMPRIV000352	
		RMPRIV000353
		RMPRIV000354
		RMPRIV000355-362

	RMPRIV000363-64	
	RMPRIV000365-66	
	RMPRIV000367-69	
	RMPRIV000370 (Third paragraph only)	RMPRIV000370 (remainder)
	RMPRIV000371	
		RMPRIV000372
		RMPRIV000373
		RMPRIV000374
		RMPRIV000375
	RMPRIV000378-82	
		RMPRIV000383-84
		RMPRIV000385-86
		RMPRIV000387
		RMPRIV000388
		RMPRIV000389
		RMPRIV000390
	RMPRIV000391 (first paragraph only)	RMPRIV000391 (remainder)
	RMPRIV000392	
	RMPRIV000393	
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
	RMPRIV000394	
	RMPRIV000395	
	RMPRIV000396 (third paragraph: "Apparently this . . .")	RMPRIV000396 (remainder)
		RMPRIV000397
		RMPRIV000398

		RMPRIV000399-401
	RMPRIV000402 (first 3 paragraphs)	RMPRIV000402 (last 3 paragraphs)
		RMPRIV000403
	RMPRIV000404	
		RMPRIV000405-06
	RMPRIV000407	
	RMPRIV000408-410	
	RMPRIV000411-12	
		RMPRIV000413-14
		RMPRIV000415-16
		RMPRIV000417
		RMPRIV000418
		RMPRIV000419
	RMPRIV000420 (last two paragraphs)	RMPRIV000420 (remainder)
	RMPRIV000421 (first paragraph)	RMPRIV000421 (remainder)
		RMPRIV000422
		RMPRIV000423
		RMPRIV000424-25
		RMPRIV000426-27
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		RMPRIV000428
		RMPRIV000429-30
		RMPRIV000431-35
	RMPRIV000436-38	
	RMPRIV000439	

		RMPRIV000440-41
		RMPRIV000442-45
	RMPRIV000446-49	
		RMPRIV000450
		RMPRIV000451
		RMPRIV000452
		RMPRIV000453
		RMPRIV000454-55
		RMPRIV000457
		RMPRIV000458
		RMPRIV000459
		RMPRIV000460
		RMPRIV000461
	RMPRIV000462	
	RMPRIV000463	
		RMPRIV000464
	RMPRIV000465	
		RMPRIV000466
	RMPRIV000467	
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
	RMPRIV000468 (beginning fourth paragraph ("I need to note . . ."))	RMPRIV000468 (remainder)
	RMPRIV000469 (remainder)	RMPRIV000469 (items 4. and 5.)
		RMPRIV000470
	RMPRIV000471	

	RMPRIV000472	
		RMPRIV000473
		RMPRIV000474
		RMPRIV000475
		RMPRIV000476
		RMPRIV000477
		RMPRIV000478
		RMPRIV000479
		RMPRIV000480
	RMPRIV000481	
	RMPRIV000482-83	
	RMPRIV000484 (paragraph beginning "John asked . . .")	RMPRIV000484 (remainder)
		RMPRIV000485
	RMPRIV000486 (last three paragraphs)	RMPRIV000486 (remainder)
		RMPRIV000487-91
	RMPRIV000492	
		RMPRIV000493
		RMPRIV000494
		RMPRIV000495
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		RMPRIV000498-99
		RMPRIV000500-01
		RMPRIV000502-03
		RMPRIV000504
		RMPRIV000506

	RMPRIV000507 (last two paragraphs)	RMPRIV000507 (remainder)
	RMPRIV000508	
		RMPRIV000509
		RMPRIV000510
		RMPRIV000511
		RMPRIV000512-14
		RMPRIV000515-18
	RMPRIV000519	
		RMPRIV000523
	RMPRIV000524	
	RMPRIV000525-26	
	RMPRIV000527	
		RMPRIV000528
		RMPRIV000529-30
		RMPRIV000531-33
		RMPRIV000536-39
	RMPRIV000540	
	RMPRIV000541	
		RMPRIV000542-43
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
	RMPRIV000544 (first paragraph)	RMPRIV000544 (remainder)
		RMPRIV000545
	RMPRIV000546	
	RMPRIV000547	
		RMPRIV000548

	RMPRIV000549	
		RMPRIV000551
		RMPRIV000557-58
	RMPRIV000559	
		RMPRIV000560
	RMPRIV000561 (last paragraph)	RMPRIV000561 (remainder)
		RMPRIV000562
	RMPRIV000563	
		RMPRIV000564-65
		RMPRIV000566
	RMPRIV000567	
		RMPRIV000568
	RMPRIV000569	
	RMPRIV000570-71	
	RMPRIV000572	
		RMPRIV000573-74
		RMPRIV000575-76
		RMPRIV000577-78
		RMPRIV000579-80
		RMPRIV000581-82
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		RMPRIV000583
		RMPRIV000584
		RMPRIV000585-87
		RMPRIV000588-89 (there were some illegible portions)
		RMPRIV000593-96

		RMPRIV000597-604
		RMPRIV000605-11
		RMPRIV000612
	RMPRIV000613-22	
		RMPRIV000623-28
	RMPRIV000629-34	
	RMPRIV000635-37	
		RMPRIV000638
		RMPRIV000639
		RMPRIV000640
		RMPRIV000641
	RMPRIV000642-44	
		RMPRIV000645
	RMPRIV000646	
	RMPRIV000647	
		RMPRIV000648
		RMPRIV000649
		RMPRIV000650
	RMPRIV000651 (paragraphs 9., A., and B.)	RMPRIV000651 (remainder)
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		RMPRIV000652
		RMPRIV000653
		RMPRIV000654
	RMPRIV000655-58	
		RMPRIV000659-60
		RMPRIV000661

		RMPRIV000662
		RMPRIV000663
		RMPRIV000664-65
	RMPRIV000666	
	RMPRIV000667-68	
	RMPRIV000670 (last paragraph)	RMPRIV000670 (remainder)
		RMPRIV000671
	RMPRIV000672-73	
	RMPRIV000674 (second paragraph under 2.)	RMPRIV000674 (remainder)
		RMPRIV000675
		RMPRIV000676-78
<u>Rounce</u>		
	RMPRIV000683-84	
	RMPRIV000685 (last six paragraphs)	RMPRIV000685 (remainder)
		RMPRIV000686-87
<u>Lohmeyer</u>		
	FLPRIV00001-4	
		FLPRIV00005-6
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
	FLPRIV00051	
	FLPRIV00052-68	
		FLPRIV00069-71
		FLPRIV00075-76
	FLPRIV00078-80	
		FLPRIV00083-86
	FLPRIV00087	

		FLPRIV00088-90
		FLPRIV00091-96
	FLPRIV00097-99	
		FLPRIV00106-13
		FLPRIV00114-15
		FLPRIV00116
	FLPRIV00117-18	
		FLPRIV00119
		FLPRIV00125-28
		FLPRIV00129-33
		FLPRIV00136
		FLPRIV00182
		FLPRIV00183-184
		FLPRIV00185-87
		FLPRIV00188-89
		FLPRIV00190-91
		FLPRIV00192
		FLPRIV00195
		FLPRIV00198-99
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV00200
		FLPRIV00201
		FLPRIV00202-03
		FLPRIV00204-05
		FLPRIV00206
		FLPRIV00207
		FLPRIV00208-24

		FLPRIV00229-32
	FLPRIV00233-36	
		FLPRIV00238-39
	FLPRIV00240	
		FLPRIV00248-49
		FLPRIV00250-51
	FLPRIV00273	
	FLPRIV00276	
		FLPRIV00281-82
		FLPRIV00283-84
	FLPRIV00285-89	
		FLPRIV00290
	FLPRIV00311-16	
	FLPRIV00317-18	
		FLPRIV00319-20
		FLPRIV00321
		FLPRIV00322-23
		FLPRIV00330-31
		FLPRIV00332-34
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
	FLPRIV00359-60	
		FLPRIV00361
		FLPRIV00362
		FLPRIV00363
		FLPRIV00364-65
		FLPRIV00366-67
		FLPRIV00368

	FLPRIV00369-70	
		FLPRIV00371-73
		FLPRIV00374
		FLPRIV00375
		FLPRIV00376-79
		FLPRIV00380-82
	FLPRIV00383-85	
	FLPRIV00386-89	
		FLPRIV00390
		FLPRIV00392-94
		FLPRIV00395-96
		FLPRIV00397
	FLPRIV00398	
		FLPRIV00399-409
		FLPRIV00410-43
		FLPRIV00444-47
		FLPRIV00448
		FLPRIV00449-50
		FLPRIV00451
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV00452-53
	FLPRIV00454	
		FLPRIV0000455
	FLPRIV00456 (second paragraph)	FLPRIV00456 (remainder)
		FLPRIV00457-61
		FLPRIV00462

		FLPRIV00463-74
	FLPRIV00475-77	
	FLPRIV00478-85	
		FLPRIV00486
	FLPRIV00487 (first paragraph of 1.2)	FLPRIV00487 (remainder)
	FLPRIV00488 (2.2 and first paragraph of 2.3)	FLPRIV00488 (remainder)
		FLPRIV00489-91
	FLPRIV00492 (7.2)	FLPRIV00492 (remainder)
		FLPRIV00493-98
		FLPRIV00499
		FLPRIV00500-510
		FLPRIV00511
		FLPRIV00517-19
		FLPRIV00520-21
	FLPRIV00522-27	
		FLPRIV00528
		FLPRIV00529-30
	FLPRIV00531	
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV00535-46
		FLPRIV00547-48
		FLPRIV00549-50
		FLPRIV00551
		FLPRIV00552
	FLPRIV00553-55	
		FLPRIV00567-68

		FLPRIV00569
	FLPRIV00571 (first paragraph of 1.2)	FLPRIV00571 (remainder)
	FLPRIV00572 (2.2 and first paragraph of 2.3)	FLPRIV00572 (remainder)
		FLPRIV00573-75
	FLPRIV00576 (7.2)	FLPRIV00576 (remainder)
		FLPRIV00577-80
		FLPRIV00588-90
		FLPRIV00591-93
		FLPRIV00594
		FLPRIV00595
		FLPRIV00596-98
	FLPRIV00599-604	
		FLPRIV00605-39
		FLPRIV00640
	FLPRIV00641-46	
		FLPRIV00647
		FLPRIV00648-49
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV00650-54
		FLPRIV00658
		FLPRIV00659
		FLPRIV00660
		FLPRIV00661-62
		FLPRIV00663
		FLPRIV00664
		FLPRIV00665

		FLPRIV00666
	FLPRIV00667-69	
	FLPRIV00670-71	
	FLPRIV00672-73	
		FLPRIV00674
	FLPRIV00675-76	
	FLPRIV00677	
	FLPRIV00678-80	
		FLPRIV00681
		FLPRIV00682-84
		FLPRIV00685
		FLPRIV00686
		FLPRIV00687-88
		FLPRIV00702-04
	FLPRIV00705-09	
	FLPRIV00710-12	
		FLPRIV00713-824
		FLPRIV00825-26
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
	FLPRIV00827-30	
	FLPRIV00831-34	
	FLPRIV00835-40	
	FLPRIV00841-44	
	FLPRIV00845-48	
		FLPRIV00849-50
		FLPRIV00851
	FLPRIV00852-54	

		FLPRIV00855
	FLPRIV00856-59	
	FLPRIV00860-65	
	FLPRIV00866-67	
	FLPRIV00868-69	
	FLPRIV00870	
	FLPRIV00871	
	FLPRIV00872	
		FLPRIV00873-74
	FLPRIV00880-82	
		FLPRIV00883
	FLPRIV00884-86	
	FLPRIV00887-96	
	FLPRIV00897-912	
	FLPRIV00913	
	FLPRIV00914	
		FLPRIV00915-19
	FLPRIV00921-23	
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
	FLPRIV00924-25	
		FLPRIV00926
	FLPRIV00927-29	
	FLPRIV00930-936	
		FLPRIV00937
	FLPRIV00938 (second paragraph)	FLPRIV00938 (remainder)
		FLPRIV00939

		FLPRIV00940
		FLPRIV00943-44
		FLPRIV00947-48
	FLPRIV00949 (last paragraph)	FLPRIV00949 (remainder)
		FLPRIV00950-53
		FLPRIV00959-74
		FLPRIV00975-77
		FLPRIV00978-80
		FLPRIV00981-84
		FLPRIV00985-86
		FLPRIV00987-89
		FLPRIV00990-91
		FLPRIV00992-94
	FLPRIV00995-96	
		FLPRIV00997-98
		FLPRIV00999-1000
		FLPRIV01001-03
		FLPRIV01004-06
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV01007
		FLPRIV01008-1040
	FLPRIV01041-42	
		FLPRIV01043-44
	FLPRIV01045-48	
	FLPRIV01049	
		FLPRIV01050-60
		FLPRIV01061-92

	FLPRIV01093	
	FLPRIV01094	
	FLPRIV01095-96	
		FLPRIV01097
	FLPRIV0198 (6.)	FLPRIV01098 (remainder)
		FLPRIV01099
		FLPRIV01100-02
		FLPRIV01103-07
		FLPRIV01108-13
	FLPRIV01114-54	
	FLPRIV01155-56	
		FLPRIV01157
		FLPRIV01158
		FLPRIV01159
		FLPRIV01160-61
	FLPRIV01162	
	FLPRIV01163	
		FLPRIV01164-67
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV01168
		FLPRIV01169-70
		FLPRIV01171
	FLPRIV01172-73	
		FLPRIV01174-75
		FLPRIV01176-79
		FLPRIV01180
		FLPRIV01181-83

		FLPRIV01184-86
		FLPRIV01187-89
	FLPRIV01191-97	
	FLPRIV01198-1200	
	FLPRIV01201	
		FLPRIV01202-08
	FLPRIV01209-1331	
		FLPRIV01332-33
		FLPRIV01334-38
		FLPRIV01339
		FLPRIV01340
		FLPRIV01342
		FLPRIV01343-45
		FLPRIV01346-49
	FLPRIV01350-1446	
		FLPRIV01447
		FLPRIV01462
		FLPRIV01463-73
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV01474
		FLPRIV01475-77
		FLPRIV0 1478-82
		FLPRIV01483-84
	FLPRIV01485-87	
		FLPRIV01488-90
		FLPRIV01491-92
		FLPRIV0 1493-94

		FLPRIV01495-99
	FLPRIV01526-27	
	FLPRIV01528-32	
		FLPRIV01705-06
	FLPRIV01707-13	
	FLPRIV01714-16	
		FLPRIV01717-18
		FLPRIV01719
	FLPRIV01720	
		FLPRIV01721
		FLPRIV01722
		FLPRIV01723-24
	FLPRIV01725-28	
	FLPRIV01729-35	
	FLPRIV01736-41	
	FLPRIV01742-44	
	FLPRIV01745-47	
	FLPRIV01748-49	
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
	FLPRIV01750-55	
	FLPRIV01756-58	
	FLPRIV01759-61	
		FLPRIV01763-66
		FLPRIV01767-70
	FLPRIV01772-78	
	FLPRIV01779-90	
	FLPRIV01791-95	

		FLPRIV01796
	FLPRIV01801-03	
	FLPRIV01804-06	
		FLPRIV01807
		FLPRIV01808-10
	FLPRIV01811-13	
		FLPRIV01818-1819
	FLPRIV01820 (second paragraph)	FLPRIV01820 (remainder)
		FLPRIV01821-22
		FLPRIV01823-28
		FLPRIV01829-31
		FLPRIV01833-34
		FLPRIV01835-36
		FLPRIV01837-40
		FLPRIV01841-44
	FLPRIV01845-48	
	FLPRIV01849-52	
		FLPRIV01853-54
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
	FLPRIV01855	
		FLPRIV01856
		FLPRIV01858-60
		FLPRIV01861-63
		FLPRIV01864-65
		FLPRIV01866
		FLPRIV01867-71
		FLPRIV01872

		FLPRIV01873-75
		FLPRIV01876-77
		FLPRIV01878-82
		FLPRIV01883
		FLPRIV01884
	FLPRIV01885	
		FLPRIV01887
		FLPRIV01888-89
		FLPRIV01890
	FLPRIV01891 (last two paragraphs)	FLPRIV01891 (remainder)
	FLPRIV01892 (first three paragraphs)	FLPRIV01892 (remainder)
		FLPRIV01893
	FLPRIV01900-07	
		FLPRIV01908-10
		FLPRIV01911
		FLPRIV01912-15
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
	FLPRIV01916 (second and third sentences)	FLPRIV01916 (remainder)
		FLPRIV01917
	FLPRIV01918 (second paragraph)	FLPRIV01918 (remainder)
		FLPRIV01919
		FLPRIV01920-21
		FLPRIV01922-25
		FLPRIV01926-27
		FLPRIV01928-29

		FLPRIV01930-32
		FLPRIV01933-36
		FLPRIV01937-39
		FLPRIV01940-42
		FLPRIV01943
		FLPRIV01944
	FLPRIV01945 (1., 2., 3., and a))	FLPRIV01945 (remainder)
		FLPRIV01946-48
		FLPRIV01949-50
	FLPRIV01951-66	
		FLPRIV01967-72
		FLPRIV01973-75
		FLPRIV01976
		FLPRIV01977-78
		FLPRIV01979
		FLPRIV01980
		FLPRIV01981
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
	FLPRIV01982-85	
		FLPRIV01986-89
		FLPRIV01990-94
	FLPRIV01995-98	
		FLPRIV02000-02
	FLPRIV02003-06	
	FLPRIV02008-13	
		FLPRIV02014-16
		FLPRIV02017

	FLPRIV02018-23	
		FLPRIV02024-25
		FLPRIV02026-27
	FLPRIV02028-33	
		FLPRIV02034
		FLPRIV02035
		FLPRIV02036-46
	FLPRIV02047-51	
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		FLPRIV02054-59
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	FLPRIV02072-74	
	FLPRIV02075-76	
		FLPRIV02077-93
		FLPRIV02146-51
		FLPRIV02152-53
		FLPRIV02154-55
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV02156-57
		FLPRIV02158-62
		FLPRIV02163-65
		FLPRIV02166-67
		FLPRIV02168-69
		FLPRIV02170-71
	FLPRIV02172-76	
		FLPRIV02177-80
	FLPRIV02181-84	

		FLPRIV02185-86
	FLPRIV02187-92	
	FLPRIV02193-94	
	FLPRIV02195-2200	
	FLPRIV02201-05	
	FLPRIV02206-07	
	FLPRIV02208-11	
		FLPRIV02212-13
	FLPRIV02214-16	
		FLPRIV02218-39
	FLPRIV02240	
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	FLPRIV02244	
	FLPRIV02245-46	
	FLPRIV02247-48	
		FLPRIV02249-57
	FLPRIV02258-65	
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV02266-69
	FLPRIV02270-73	
		FLPRIV02274-75
		FLPRIV02276-78
		FLPRIV02279-80
		FLPRIV02281
		FLPRIV02283
		FLPRIV02284-90
	FLPRIV02291-92	

	FLPRIV02293-95	
		FLPRIV02296-300
	FLPRIV02301-03	
		FLPRIV02304-06
		FLPRIV02307-11
		FLPRIV02312-23
		FLPRIV02315-16
		FLPRIV02320
		FLPRIV02321-22
		FLPRIV02323-24
		FLPRIV02326-27
		FLPRIV02328-29
		FLPRIV02330-31
		FLPRIV02332-35
		FLPRIV02336-39
		FLPRIV02340-41
		FLPRIV02342-48
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV02349
	FLPRIV02350	
	FLPRIV02354-57	
	FLPRIV02358-60	
	FLPRIV02372-73	
		FLPRIV02374-78
		FLPRIV02379-80
		FLPRIV02381
		FLPRIV02382-83

	FLPRIV02384	
		FLPRIV02385-86
		FLPRIV02387-89
		FLPRIV02390-95
		FLPRIV02396-97
	FLPRIV02398-400	
		FLPRIV02401
		FLPRIV02402-06
		FLPRIV02411
	FLPRIV02412	
		FLPRIV02413-15
	FLPRIV02416-17	
	FLPRIV02422-25	
	FLPRIV02426-28	
	FLPRIV02429-32	
		FLPRIV02433-34
		FLPRIV02435
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV02436-44
		FLPRIV02445-50
		FLPRIV02451-56
		FLPRIV02457-60
	FLPRIV02461-63	
		FLPRIV02464
		FLPRIV02465-68
		FLPRIV02469-74
		FLPRIV02475

		FLPRIV02476-78
		FLPRIV02479-80
		FLPRIV02481
		FLPRIV02482
		FLPRIV02483-87
		FLPRIV02488-89
		FLPRIV02490-92
		FLPRIV02493-95
		FLPRIV02496
		FLPRIV02497-98
		FLPRIV02499-511
		FLPRIV02512
		FLPRIV02513-14
		FLPRIV02515
		FLPRIV02516
		FLPRIV02517-19
		FLPRIV02520
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV02521-22
		FLPRIV02523
		FLPRIV02524-26
		FLPRIV02527-29
		FLPRIV02530
		FLPRIV02531
		FLPRIV02532-33
		FLPRIV02534
		FLPRIV02538-40

		FLPRIV02541-59
		FLPRIV02560
		FLPRIV02561-62
		FLPRIV02563
		FLPRIV02564
		FLPRIV02565
	FLPRIV02566 (first paragraph)	FLPRIV02566 (remainder)
		FLPRIV02568-69
		FLPRIV02570
		FLPRIV02571
		FLPRIV02572-73
		FLPRIV02574-83
		FLPRIV02584-85
		FLPRIV02586-87
	FLPRIV02588-89	
		FLPRIV02590
		FLPRIV02591-92
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV02593-94
		FLPRIV02595-96
		FLPRIV02597-98
		FLPRIV02599-600
		FLPRIV02601
		FLPRIV02602
		FLPRIV02603-04
		FLPRIV02604.1
		FLPRIV02605-06

		FLPRIV02607-08
		FLPRIV02609-12
		FLPRIV02613-14
		FLPRIV02615-17
	FLPRIV02618 (second paragraph)	FLPRIV02618 (remainder)
		FLPRIV02619
		FLPRIV02620-21
		FLPRIV02622
		FLPRIV02623-26
		FLPRIV02627-28
		FLPRIV02629
		FLPRIV02630-32
		FLPRIV02633-36
		FLPRIV02637
		FLPRIV02638
		FLPRIV02639-41
		FLPRIV02642
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV02643
		FLPRIV02644-46
		FLPRIV02647-49
		FLPRIV02650-52
		FLPRIV02653-55
		FLPRIV02656-57
		FLPRIV02658-61
		FLPRIV02662
		FLPRIV02663-65

		FLPRIV02666-68
		FLPRIV02669-71
		FLPRIV02672
		FLPRIV02673
		FLPRIV02676-77
		FLPRIV02678-81
		FLPRIV02682
		FLPRIV02683-84
		FLPRIV02685-86
		FLPRIV02687
		FLPRIV02688-90
		FLPRIV02691-2693
		FLPRIV02694
		FLPRIV02965-2696
		FLPRIV02697
		FLPRIV02998-99
		FLPRIV02700
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV02701-06
		FLPRIV02707
		FLPRIV02708
		FLPRIV02709-11
		FLPRIV02712
		FLPRIV02713-15
		FLPRIV02716
		FLPRIV02717-21
		FLPRIV02722-24

		FLPRIV02725-26
		FLPRIV02727-29
	FLPRIV02730	
		FLPRIV02731-32
	FLPRIV02734-35	
		FLPRIV02736-37
		FLPRIV02738
		FLPRIV02739-40
	FLPRIV02743-46	
		FLPRIV02747
		FLPRIV02748-49
	FLPRIV02750 (3.)	FLPRIV02750 (remainder)
		FLPRIV02751-52
		FLPRIV02753-58
		FLPRIV02759
		FLPRIV02760-62
		FLPRIV02763-65
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV02766-69
		FLPRIV02770-71
	FLPRIV02772 (second paragraph)	FLPRIV02772 (remainder)
		FLPRIV02773
		FLPRIV02774
	FLPRIV02775 (third paragraph)	FLPRIV02775 (remainder)
		FLPRIV02776-77
		FLPRIV01778-79
		FLPRIV02780-86

	FLPRIV02787	
		FLPRIV02788-89
		FLPRIV02790-92
		FLPRIV02795
		FLPRIV02796
		FLPRIV02797-98
		FLPRIV02800-03
		FLPRIV02804-06
		FLPRIV02807-08
		FLPRIV02809
		FLPRIV02810-15
		FLPRIV02816-18
		FLPRIV02819-20
		FLPRIV02821-33
		FLPRIV02834-40
		FLPRIV02841-42
		FLPRIV02843-46
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV02847
		FLPRIV02848-49
		FLPRIV02850
		FLPRIV02851-53
		FLPRIV02854-55
		FLPRIV02856-59
		FLPRIV02860-62
	FLPRIV02863	
		FLPRIV02864-68

	FLPRIV02869-70	
		FLPRIV02871-74
		FLPRIV02875-78
		FLPRIV02879-81
	FLPRIV02882-83	
	FLPRIV02884-86	
		FLPRIV02887
	FLPRIV02888-90	
		FLPRIV02893-95
	FLPRIV02896-942	
	FLPRIV02943-58	
	FLPRIV02960	
	FLPRIV02961 (third paragraph)	FLPRIV02961 (remainder)
		FLPRIV02962-71
	FLPRIV02972-74	
		FLPRIV02975-79
		FLPRIV02980
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
	FLPRIV02981-82	
		FLPRIV02983
	FLPRIV02984-88	
	FLPRIV02989-94	
	FLPRIV02995-3000	
		FLPRIV03001-03
	FLPRIV03004	
	FLPRIV03005-07	
		FLPRIV03008-09

		FLPRIV03013-15
		FLPRIV03016
		FLPRIV03017-58
		FLPRIV03059
		FLPRIV03060-61
		FLPRIV03062
		FLPRIV03063
		FLPRIV03064
	FLPRIV03065-66	
		FLPRIV03067
	FLPRIV03068	
		FLPRIV03069-71
		FLPRIV03072-81
	FLPRIV03082-86	
		FLPRIV03087-89
		FLPRIV03090-94
		FLPRIV03095
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV03096
		FLPRIV03097-98
		FLPRIV03100
		FLPRIV03101
		FLPRIV03102
		FLPRIV03103
		FLPRIV03104
		FLPRIV03105-06
		FLPRIV03107

		FLPRIV03108
	FLPRIV03109-13	
		FLPRIV03114
		FLPRIV03115
		FLPRIV03116
		FLPRIV03117
		FLPRIV03118
		FLPRIV03119
		FLPRIV03120
		FLPRIV03121
		FLPRIV03122
	FLPRIV03123	
		FLPRIV03124
		FLPRIV03125
		FLPRIV03126
		FLPRIV03127
		FLPRIV03128-29
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV03130-31
		FLPRIV03132
		FLPRIV03133
	FLPRIV03134 (1.)	FLPRIV03134 (remainder)
		FLPRIV03135
		FLPRIV03136
		FLPRIV03137-38
		FLPRIV03140
		FLPRIV03141-42

		FLPRIV03143-47
		FLPRIV03148
		FLPRIV03149
		FLPRIV03150
		FLPRIV03151
		FLPRIV03152-53
		FLPRIV03154
	FLPRIV03155 (second paragraph)	FLPRIV03155 (remainder)
	FLPRIV03156 (first two paragraphs)	FLPRIV03156 (remainder)
	FLPRIV03157 (second paragraph)	FLPRIV03157 (remainder)
		FLPRIV03158
		FLPRIV03159
		FLPRIV03160-61
		FLPRIV03162
		FLPRIV03163
		FLPRIV03164
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV03165-66
		FLPRIV03167-71
		FLPRIV03174
		FLPRIV03175
		FLPRIV03176-79
		FLPRIV03181-89
		FLPRIV03190
	FLPRIV03191	
		FLPRIV03192-93

		FLPRIV03194-95
		FLPRIV03196-97
		FLPRIV03199
		FLPRIV03200-05
		FLPRIV03206-08
		FLPRIV03209
		FLPRIV03210-12
		FLPRIV03213-15
		FLPRIV03216-17
		FLPRIV03218-20
		FLPRIV03221-23
		FLPRIV03224-25
		FLPRIV03226
		FLPRIV03227-28
		FLPRIV03229-31
		FLPRIV03232-34
		FLPRIV03235-37
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV03238-41
		FLPRIV03242
		FLPRIV03243
		FLPRIV03244
		FLPRIV03245-46
		FLPRIV03247-48
		FLPRIV03249
		FLPRIV03250-52
		FLPRIV03253-54

		FLPRIV03255-56
		FLPRIV03257
		FLPRIV03258-61
		FLPRIV03262-63
		FLPRIV03264
		FLPRIV03265-66
		FLPRIV03267
	FLPRIV03268 (6.)	FLPRIV03268 (remainder)
	FLPRIV03269-71	
	FLPRIV03272	
		FLPRIV03273-75
		FLPRIV03276
		FLPRIV03277-78
	FLPRIV03281-84	
	FLPRIV03285-88	
	FLPRIV03289-93	
		FLPRIV03294-96
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV03297
	FLPRIV03298-310	
		FLPRIV03364-89
		FLPRIV03390-92
	FLPRIV03393-401	
	FLPRIV03402-05	
		FLPRIV03406
		FLPRIV03407-11
		FLPRIV03412

	FLPRIV03413-15	
		FLPRIV03416-18
	FLPRIV03419-20	
		FLPRIV03421-56
		FLPRIV03457
		FLPRIV03458-59
	FLPRIV03460-61	
		FLPRIV03462-97
		FLPRIV03498-99
		FLPRIV03500
		FLPRIV03501
		FLPRIV03502
		FLPRIV03503-04
		FLPRIV03505
		FLPRIV03507
		FLPRIV03508-09
		FLPRIV03510
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV03513
		FLPRIV03514
		FLPRIV03515
		FLPRIV03516
		FLPRIV03517
		FLPRIV03518-20
		FLPRIV03521
		FLPRIV03522
	FLPRIV03523 (2. (i))	FLPRIV03523 (remainder)

		FLPRIV03524
		FLPRIV03525
		FLPRIV03526-27
	FLPRIV03528 (first paragraph beginning with the second sentence)	FLPRIV03528 (remainder)
		FLPRIV03530
		FLPRIV03531
		FLPRIV03533
		FLPRIV03534
		FLPRIV03535
		FLPRIV03538
		FLPRIV03541
	FLPRIV03542	
		FLPRIV03543
		FLPRIV03544
	FLPRIV03545-47	
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV03548
		FLPRIV03549
		FLPRIV03550-51
		FLPRIV03552
	FLPRIV03553-54	
		FLPRIV03555-62
	FLPRIV03563	
		FLPRIV03564
		FLPRIV03565
		FLPRIV03566

	FLPRIV03567	
		FLPRIV03568
	FLPRIV03570-73	
		FLPRIV03574
		FLPRIV03575
		FLPRIV03576-79
	FLPRIV03596	
		FLPRIV03598
		FLPRIV03599
		FLPRIV03600
	FLPRIV03608-09	
		FLPRIV03615
		FLPRIV03616-17
	FLPRIV03618	
		FLPRIV03619-20
		FLPRIV03623-24
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV03625
	FLPRIV03626 (1.4)	FLPRIV03626 (remainder)
		FLPRIV03627-29
		FLPRIV03631
		FLPRIV03632
		FLPRIV03633-35
		FLPRIV03636
		FLPRIV03637
		FLPRIV03638
		FLPRIV03639

		FLPRIV03640
		FLPRIV03641-42
		FLPRIV03643
		FLPRIV03644-45
		FLPRIV03648-50
		FLPRIV03653
		FLPRIV03654
	FLPRIV03655 (1.4)	FLPRIV03655 (remainder)
	FLPRIV03656 (6.)	FLPRIV03656 (remainder)
		FLPRIV03657
		FLPRIV03658
	FLPRIV03659-63	
	FLPRIV03664-65	
	FLPRIV03668	
		FLPRIV03669
		FLPRIV03670
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV03671
	FLPRIV03672-74	
	FLPRIV03675-79	
		FLPRIV03680-91
		FLPRIV03692
		FLPRIV03693-94
		FLPRIV03695
		FLPRIV03696
		FLPRIV03698-99
		FLPRIV03700-01

		FLPRIV03702-03
		FLPRIV03706
		FLPRIV03709-11
		FLPRIV03712
	FLPRIV03713 (3.)	FLPRIV03713 (remainder)
		FLPRIV03716-19
		FLPRIV03727-28
		FLPRIV03731-32
		FLPRIV03733-34
		FLPRIV03739
		FLPRIV03740
		FLPRIV03741
		FLPRIV03742
		FLPRIV03743
		FLPRIV03744
	FLPRIV03745	
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV03746
	FLPRIV03747 (last paragraph)	FLPRIV03747 (remainder)
		FLPRIV03748-50
		FLPRIV03751
		FLPRIV03752-53
		FLPRIV03754-57
		FLPRIV03758-59
		FLPRIV03760
		FLPRIV03761
		FLPRIV03762

		FLPRIV03763
		FLPRIV03764
		FLPRIV03765
		FLPRIV03766
		FLPRIV03767
		FLPRIV03768
		FLPRIV03769
		FLPRIV03770
		FLPRIV03771
	FLPRIV03772	
		FLPRIV03773
		FLPRIV03774-76
		FLPRIV03777-82
	FLPRIV03783	
		FLPRIV03784
		FLPRIV03785-86
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV03787
		FLPRIV03789
		FLPRIV03790
		FLPRIV03791
		FLPRIV03794-99
		FLPRIV03796-99
		FLPRIV03800
		FLPRIV03801-03
		FLPRIV03804-07
		FLPRIV03808

		FLPRIV03809
		FLPRIV03810
		FLPRIV03811-12
		FLPRIV03813-14
		FLPRIV03815
	FLPRIV03818 (last sentence)	FLPRIV03818 (remainder)
		FLPRIV03819-20
		FLPRIV03821
		FLPRIV03823
		FLPRIV03824
	FLPRIV03825-30	
		FLPRIV03831
	FLPRIV03832	
		FLPRIV03839
		FLPRIV03840
		FLPRIV03841
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV03842
	FLPRIV03843	
		FLPRIV03844
		FLPRIV03845-47
		FLPRIV03865
		FLPRIV03866
		FLPRIV03867-68
		FLPRIV03869-70
	FLPRIV03871	
		FLPRIV03872

		FLPRIV03874-75
		FLPRIV03876-77
		FLPRIV03878-80
		FLPRIV03881
		FLPRIV03882
		FLPRIV03883-85
		FLPRIV03886
		FLPRIV03887
		FLPRIV03888
		FLPRIV03890
		FLPRIV03891
		FLPRIV03892-3898
		FLPRIV03899-900
		FLPRIV03901
		FLPRIV03903-04
	FLPRIV03905-06	
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
		FLPRIV03907
		FLPRIV03908
		FLPRIV03909
		FLPRIV03910
	FLPRIV03912	
		FLPRIV03913
	FLPRIV03918-20	
		FLPRIV03921
	FLPRIV03922-23	
		FLPRIV03924-25

	FLPRIV03926 (remainder)	FLPRIV03926 (2.6)
	FLPRIV03927-31	
		FLPRIV03932
		FLPRIV03940
		FLPRIV03941-43
		FLPRIV03944-45
		FLPRIV03947
		FLPRIV03963
		FLPRIV03972-76
		FLPRIV03977-81
		FLPRIV03982-85
		FLPRIV03986-87
	FLPRIV03988-89	
	FLPRIV03990-91	
		FLPRIV03992-93
	FLPRIV03994-96	
	Documents Privileged (cont'd)	Documents Not Privileged (cont'd)
	FLPRIV03997	
		FLPRIV03998
	FLPRIV04000-02	
		FLPRIV04003-4006
		FLPRIV04007
	FLPRIV04008-09	
		FLPRIV04010
		FLPRIV04011-15
	FLPRIV04016-20	
	FLPRIV04021-26	

		FLPRIV04027-29
	FLPRIV04030-31	
	FLPRIV04032-34	
	FLPRIV04035-36	
		FLPRIV04037-40

As previously stated, the party asserting a privilege has the burden to demonstrate that the privilege exists. Because the following documents are illegible, the court is unable to determine whether they are privileged, and Petitioner has failed to meet this burden:

	Illegible Documents
<u>Mizell</u>	RMPRIV000117-18
	RMPRIV000169
	RMPRIV000552-555
<u>Lohmeyer</u>	FLPRIV02282
	FLPRIV03180
	Illegible Documents (cont'd)
	FLPRIV03198
	FLPRIV03532
	FLPRIV03540

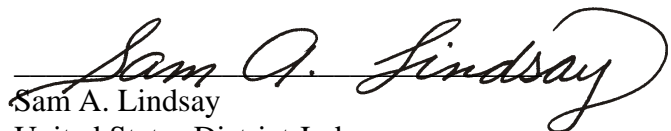
After careful review of the documents received, the court determines that documents FLPRIV02959 and FLPRIV03999 were not provided to the court for review. Petitioner is **directed** to provide these documents to the court by **September 11, 2009, 5:00 p.m.** Also, one document, RMPRIV000143-149, is not in English. Petitioner is **directed** to have this document translated into English and to provide the translation to the court by **October 5, 2009, 5:00 p.m.**

III. Conclusion

In light of these rulings, the court **grants** the United States' Renewed Motion to Determine Petitioner's Claim of Privilege and to Turn Over Documents Determines Not Privileged. Accordingly, the court **directs** Eulich to turnover the documents referenced above as "Documents Not Privileged" and "Illegible Documents" by **September 11, 2009, 5:00 p.m.** The court also **directs** Petitioner to provide documents FLPRIV02959 and FLPRIV03999 to the court by **September 11, 2009, 5:00 p.m.** for review. The court further **directs** Petitioner to have document RMPRIV000143-149 translated into English and to provide the translation to the court by **October 5, 2009, 5:00 p.m.** *If Petitioner fails to comply with this order as directed, the court may take such action against Petitioner that it deems necessary and appropriate to enforce this order.*

This review has placed an undue, and in many instances unjustified, burden on the court and its staff. It has stretched scarce judicial resources in a way never contemplated by the court. In **many** instances, the court does not believe that the claim of privilege was made in good faith. *Petitioner is put on notice that the court will not tolerate such blanket claims of privilege and will impose sanctions as appropriate if such conduct recurs.*

It is so ordered this 4th day of September, 2009.


Sam A. Lindsay
United States District Judge